

# Daily Digest

## HIGHLIGHTS

Senate passed H.R. 2638, Department of Homeland Security Appropriations Act.

Senate agreed to the conference report to accompany H.R. 1, Implementing Recommendations of the 9/11 Commission Act.

The House passed H.R. 3093, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2008.

## Senate

### Chamber Action

*Routine Proceedings, pages S10051–S10208*

**Measures Introduced:** Sixteen bills and two resolutions were introduced, as follows: S. 1879–1894, and S. Res. 281–282. **Pages S10148–49**

#### Measures Reported:

S. 1893, to amend title XXI of the Social Security Act to reauthorize the State Children's Health Insurance Program. **Page S10148**

#### Measures Passed:

**Department Of Homeland Security Appropriations Act:** By 89 yeas to 4 nays (Vote No. 282), Senate passed H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, after taking action on the following amendments proposed thereto:

**Pages S10058–S10115**

#### Adopted:

By 89 yeas to 1 nay (Vote No. 278), Graham Amendment No. 2480 (to Amendment No. 2383), to ensure control over the United States borders and strengthen enforcement of the immigration laws.

**Pages S10058–67**

Grassley/Inhofe Modified Amendment No. 2444 (to Amendment No. 2383), to provide that none of the funds made available under this Act may be expended until the Secretary of Homeland Security certifies to Congress that all new hires by the Department of Homeland Security are verified through the basic pilot program authorized under section 401 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 or may be available to enter

into a contract with a person, employer, or other entity that does not participate in the such basic pilot program. **Pages S10058, S10083**

Schumer Modified Amendment No. 2461 (to Amendment No. 2383), to increase the amount provided for aviation security direction and enforcement. **Pages S10058, S10083**

Schumer Amendment No. 2447 (to Amendment No. 2383), to reserve \$40,000,000 of the amounts appropriated for the Domestic Nuclear Detection Office to support the implementation of the Securing the Cities initiative at the level requested in the President's budget. **Page S10083**

Vitter Modified Amendment No. 2488 (to Amendment No. 2383), to prohibit U.S. Customs and Border Protection or any agency or office within the Department of Homeland Security from preventing an individual not in the business of importing a prescription drug from importing an FDA-approved prescription drug from Canada. **Page S10067**

Dole Amendment No. 2462 (to Amendment No. 2383), to require that not less than \$5,400,000 of the amount appropriated to United States Immigration and Customs Enforcement be used to facilitate agreements described in section 287 (g) of the Immigration and Nationality Act. **Pages S10083, S10091**

Lieberman Amendment No. 2407 (to Amendment No. 2383), to provide funds for the Interoperable Emergency Communications Grant Program.

**Pages S10093–95, S10096–98**

By 51 yeas to 43 nays (Vote No. 280), Sanders/Feingold Amendment No. 2498 (to Amendment No. 2383), to prohibit funds made available in this

Act from being used to implement a rule or regulation related to certain petitions for aliens to perform temporary labor in the United States.

**Pages S10092–93, S10098–99**

By 93 yeas to 1 nay (Vote No. 281), DeMint Amendment No. 2481 (to Amendment No. 2383), to prohibit the use of funds to remove offenses from the list of criminal offenses disqualifying individuals from receiving TWIC cards.

**Pages S10091, S10099, S10113–15**

Coburn/DeMint Amendment No. 2442 (to Amendment No. 2383), to prohibit funding for no-bid earmarks.

**Pages S10095–96, S10100**

Murray (for Kyl/Martinez) Modified Amendment No. 2518 (to Amendment No. 2383), to set aside \$60,000,000 of the overall amount appropriated for border security, interior enforcement, and employment verification to be used for employment verification improvements. (Subsequently, a unanimous-consent agreement was reached providing that the amendment be further modified).

**Pages S10100, S10105**

Salazar Modified Amendment No. 2516 (to Amendment No. 2383), relative to border security requirements for land and maritime borders of the United States. (Subsequently, a unanimous-consent agreement was reached providing that the amendment be further modified).

**Pages S1009192, S10100**

Murray (for Landrieu) Amendment No. 2527 (to Amendment No. 2383), to require the Administrator of the Federal Emergency Management Agency to authorize an in-lieu contribution to the Peebles School.

**Page S10101**

Murray (for Cochran/Lott) Amendment No. 2469 (to Amendment No. 2383), to provide that certain hazard mitigation projects shall not be subject to any precertification requirements.

**Page S10101**

Murray Modified Amendment No. 2499 (to Amendment No. 2383), to make funds available to procure commercially available technology in order to expand and improve the risk-based approach of the Department of Homeland Security to target and inspect cargo containers under the Secure Freight Initiative and the Global Trade Exchange and to provide an offset.

**Page S10101**

Murray (for Stevens) Modified Amendment No. 2475 (to Amendment No. 2383), to develop and implement a Model Ports of Entry program.

**Page S10101**

Murray (for Lieberman) Amendment No. 2513 (to Amendment No. 2383), to require a national strategy and report on closed circuit television systems.

**Pages S10101–02**

Murray (for Pryor) Amendment No. 2502 (to Amendment No. 2383), to authorize the Secretary of Homeland Security to regulate the sale of ammo-

nium nitrate to prevent and deter the acquisition of ammonium nitrate by terrorists.

**Page S10102**

Murray (for Cantwell/Snowe) Amendment No. 2514 (to Amendment No. 2383), to prevent procurement of any additional major assets until completion of an Alternatives Analysis, and to prevent the use of funds contained in this act for procurement of a third National Security Cutter until completion of an Alternatives Analysis.

**Page S10102**

Murray (for Cantwell) Amendment No. 2391 (to Amendment No. 2383), to require the Secretary of Homeland Security to develop a strategy and funding plan to implement the recommendations regarding the 2010 Vancouver Olympic and Paralympic Games in the Joint Explanatory Statement of the Committee of Conference on H.R. 5441 (109th Congress), the Department of Homeland Security Appropriations Act, 2007.

**Page S10102**

Murray (for Hutchison) Amendment No. 2466 (to Amendment No. 2383), to provide local officials and the Secretary of Homeland Security greater involvement in decisions regarding the location of border fencing.

**Pages S10102–03**

Murray (for Gregg) Amendment No. 2484 (to Amendment No. 2383), to provide for greater accountability in grant and contract administration.

**Page S10103**

Murray (for Collins) Amendment No. 2486 (to Amendment No. 2383), to require an appropriate amount of funding for the Office of Bombing Prevention.

**Page S10103**

Murray (for Byrd) Amendment No. 2497 (to Amendment No. 2383), to establish a wild horse and burro adoption program at the Department of Homeland Security.

**Pages S10083–85, S10103**

Murray (for Martinez) Modified Amendment No. 2404 (to Amendment No. 2383), to establish an international registered traveler program.

**Pages S10086–91, S10103–04**

Murray (for Akaka) Amendment No. 2478 (to Amendment No. 2383), to provide for a report on the Performance Accountability and Standards System of the Transportation Security Administration.

**Page S10104**

Murray (for Clinton) Amendment No. 2438 (to Amendment No. 2383), to require the Comptroller General to conduct a study on shared border management.

**Page S10105**

Murray (for Cornyn) Amendment No. 2432 (to Amendment No. 2383), to increase the authorized level for the border relief grant program for \$50,000,000 to \$100,000,000.

**Page S10105**

Murray (for Sessions) Amendment No. 2451 (to Amendment No. 2383), to conduct a study to determine whether fencing on the southern border can be

constructed for less than an average \$3,200,000 per mile.  
**Pages S10105–06**

Murray (for Isakson) Amendment No. 2495 (to Amendment No. 2383), to restore the credibility of the Federal Government by taking action to enforce immigration laws, to request the President to submit a request to Congress for supplemental appropriations on immigration.  
**Page S10106**

Murray (for Boxer) Modified Amendment No. 2500 (to Amendment No. 2383), to require United States Customs and Border Protection to provide information to Congress about the training of its personnel to effectively assist the Food and Drug Administration in monitoring our Nation's food supply.  
**Page S10106**

Murray (for Feingold) Amendment No. 2507 (to Amendment No. 2383), to require a study on the implementation of the voluntary provision of emergency services program.  
**Page S10106**

Murray (for Kerry/Kennedy) Amendment No. 2477 (to Amendment No. 2383), to require the Government Accountability Office to report on the Department's risk-based grant programs.  
**Page S10106**

Murray (for Obama) Amendment No. 2519 (to Amendment No. 2383), to provide that none of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5 million or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee owes no past due Federal tax liability.  
**Pages S10106–07**

Murray (for Nelson (FL)) Amendment No. 2439 (to Amendment No. 2383), to resolve the differences between the Transportation Worker Identification Credential program administered by the Transportation Security Administration and existing State transportation facility access control programs.  
**Page S10107**

Murray (for Baucus) Amendment No. 2406 (to Amendment No. 2383), to prohibit the use of funds for planning, testing, piloting, or developing a national identification card.  
**Page S10107**

Murray (for Salazar/Allard) Modified Amendment No. 2417 (to Amendment No. 2383), to clarify that the preparation and implementation of community wildfire protection plans is a fire prevention program.  
**Page S10107**

Murray (for Levin) Amendment No. 2504 (to Amendment No. 2383), to express the sense of Congress regarding the need to appropriate sufficient funds to increase the number of border patrol officers and agents protecting the northern border pursuant to prior authorizations.  
**Page S10107**

Murray (for Domenici/Dorgan) Modified Amendment No. 2421 (to Amendment No. 2383), to authorize appropriations for border and transportation security personnel and technology.  
**Pages S10107–08**

Murray (for Domenici) Amendment No. 2422 (to Amendment No. 2383), to conduct a study to improve radio communications for law enforcement officers operating along the international borders of the United States.  
**Page S10108**

Murray (for Collins/Grassley) Amendment No. 2526 (to Amendment No. 2383), to provide that certain funds shall be made available to the United States Citizenship and Immigration Services for the fraud risk assessment relating to the H-1B program is submitted to Congress.  
**Page S10108**

Murray (for Graham) Modified Amendment No. 2445 (to Amendment No. 2383), to require a report on interagency operational centers for port security.  
**Page S10108**

Murray (for Dodd) Modified Amendment No. 2465 (to Amendment No. 2383), to increase the amount provided for firefighter assistance, and to provide offsets.  
**Page S10108**

Murray (for Lieberman) Amendment No. 2508 (to Amendment No. 2383), to provide funds to modernize the National Fire Incident Reporting System and to encourage the presence of State and local fire department representatives at the National Operations Center.  
**Pages S10108–09**

Murray (for McCaskill) Amendment No. 2509 (to Amendment No. 2383), to mitigate the health risks posed by hazardous chemicals in trailers provided by the Federal Emergency Management Agency.  
**Page S10109**

Murray (for Kerry/Snowe) Amendment No. 2463 (to Amendment No. 2383), to apply basic contracting laws to the Transportation Security Administration.  
**Page S10109**

Murray (for Menendez/Lautenberg) Amendment No. 2490 (to Amendment No. 2383), to provide for a report on regional boundaries for Urban Area Security Initiative regions.  
**Page S10109**

Murray (for Roberts/Brownback) Amendment No. 2521 (to Amendment No. 2383), to provide for special rules relating to assistance concerning the Greensburg, Kansas tornado.  
**Pages S10109–10**

Murray (for Coburn) Modified Amendment No. 2467 (to Amendment No. 2383), to authorize the release of data used to determine eligibility for assistance under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.  
**Page S10110**

Murray (for Clinton) Modified Amendment No. 2474 (to Amendment No. 2383), to ensure that the Federal Protective Service has adequate personnel.  
**Pages S10110–13**

Murray (for Feinstein) Modified Amendment No. 2522 (to Amendment No. 2383), to include the Mineta Transportation Institute at San Jose State University as a member institution if the Secretary of Homeland Security establishes a National Transportation Security Center of Excellence. **Page S10110**

Murray (for Coleman) Amendment No. 2524 (to Amendment No. 2383), to provide funding for security associated with the national party conventions. **Page S10110**

Byrd/Cochran Amendment No. 2383, in the nature of a substitute. **Page S10058**

Rejected:

Cochran (for Alexander) Modified Amendment No. 2405 (to Amendment No. 2383), to make \$300,000,000 available for grants to States to carry out the REAL ID Act of 2005. (By 50 yeas to 44 nays (Vote No. 279), Senate tabled the amendment). **Pages S10078–83**

Withdrawn:

Schumer/Hutchison Amendment No. 2448 (to Amendment No. 2383), to increase the domestic supply of nurses and physical therapists. **Pages S10072–74**

Schumer Amendment No. 2416 (to Amendment No. 2383), to evaluate identification card technologies to determine the most appropriate technology for ensuring the optimal security, efficiency, privacy and cost of passport cards. **Page S10083**

Cochran (for Grassley) Amendment No. 2476 (to Amendment No. 2383), to require the Secretary of Homeland Security to establish reasonable regulations relating to stored quantities of propane. **Page S10083**

Martinez Amendment No. 2503 (to Amendment No. 2383), to require the issuance and use of social security cards with biometric identifiers for the establishment of employment authorization and identity. **Pages S10085–86**

Martinez Amendment No. 2413 (to Amendment No. 2383), to require that all funds for State and local programs be allocated based on risk. **Page S10086**

Cochran/Byrd Amendment No. 2496 (to Amendment No. 2488), to prohibit the use of funds relative to United States Customs and Border Protection. **Pages S10067–68**

Dole Amendment No. 2449 (to Amendment No. 2383), to set aside \$75,000,000 of the funds appropriated for training, exercise, technical assistance, and other programs under the heading State and local programs for training consistent with section 287 (g) of the Immigration and Nationality Act. **Page S10091**

Landrieu Amendment No. 2525 (to Amendment No. 2383), to require regional evacuation and sheltering plans. **Pages S10096, S10101**

During consideration of this measure today, the Senate also took the following action:

Chair sustained a point of order against Dorgan/Conrad Amendment No. 2505 (to Amendment No. 2468), relating to bringing Osama bin Laden and other leaders of al Qaeda to justice, as being in violation of Rule XVI of the Standing Rules of the Senate, which prohibits legislation on an appropriation bill, and the amendment thus fell. **Pages S10068–72, S10074–77**

Chair sustained a point of order against Landrieu Amendment No. 2468 (to Amendment No. 2383), to state the policy of the United States Government on the foremost objective of the United States in the Global War on Terror and in protecting the United States Homeland and to appropriate additional sums for that purpose, as being in violation of Rule XVI of the Standing Rules of the Senate, which prohibits legislation on an appropriation bill, and the amendment thus fell. **Pages S10077–78**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Byrd, Inouye, Leahy, Mikulski, Kohl, Murray, Landrieu, Lautenberg, Nelson (NE), Cochran, Gregg, Stevens, Specter, Domenici, Shelby, Craig, and Alexander. **Page S10115**

### Conference Reports:

*Implementing Recommendations of the 9/11 Commission Act—Conference Report:* By 85 yeas to 8 nays (Vote No. 284), Senate agreed to the conference report to accompany H.R. 1, to provide for the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States. **Pages S10115–10130**

During consideration of this conference report today, the Senate also took the following action:

By 26 yeas to 67 nays (Vote No. 283), rejected a motion to recommit to the conference, with instructions. **Pages S10116–17**

### MEASURES CONSIDERED:

*Small Business Tax Relief Act:* Senate began consideration of the motion to proceed to consideration of H.R. 976, to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses.

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of July, 26, 2007,

a vote on cloture will occur at 5:30 p.m., on Monday, July 30, 2007.

Subsequently, the motion to proceed was withdrawn. **Page S10117**

A unanimous-consent-time agreement was reached providing that Senate resume consideration of the motion to proceed to consideration of H.R. 976, to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses, at 3:00 p.m., on Monday, July 30, 2007, and that the time until 5:30 p.m. be equally divided and controlled between the Chairman and Ranking Member of the Committee on Finance, or their designees; provided further that at 5:30 p.m., Senate vote on the motion to invoke cloture on the motion to proceed to consideration of the bill. **Page S10117**

**Nominations Received:** Senate received the following nominations:

Benjamin Eric Sasse, of Nebraska, to be an Assistant Secretary of Health and Human Services.

Barry Leon Wells, of Ohio, to be Ambassador to the Republic of The Gambia.

Mark M. Boulware, of Texas, to be Ambassador to the Islamic Republic of Mauritania. **Page S10208**

**Messages from the House:** **Page S10148**

**Measures Referred:** **Page S10148**

**Executive Reports of Committees:** **Page S10148**

**Additional Cosponsors:** **Pages S10149–51**

**Statements on Introduced Bills/Resolutions:** **Page S10151–92**

**Additional Statements:** **Pages S10145–47**

**Amendments Submitted:** **Pages S10192–S10207**

**Authorities for Committees to Meet:** **Pages S10207–08**

**Privileges of the Floor:** **Page S10208**

**Record Votes:** Seven record votes were taken today. (Total—284)

**Pages S10064, S10082, S10099, S10115, S10117**

**Adjournment:** Senate convened at 9:30 a.m. on Thursday, July 26, 2007 and adjourned at 12:29 a.m. on Friday, July 27, 2007, until 2:00 p.m. on Monday, July 30, 2007. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10208.)

## Committee Meetings

(Committees not listed did not meet)

### NOMINATION

*Committee on the Budget:* Committee concluded a hearing to examine the nomination of Jim Nussle, of

Iowa, to be Director of the Office of Management and Budget, after the nominee, who was introduced by Senator Grassley and Representative Spratt, testified and answered questions in his own behalf.

### DIGITAL TELEVISION TRANSITION

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine preparation taken for the digital television transition, after receiving testimony from John M.R. Kneuer, Assistant Secretary for Communications and Information, National Telecommunications and Information Administration, Department of Commerce; Catherine Seidel, Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission; Nelda Barnett, AARP, and Nancy Zirkin, Leadership Conference on Civil Rights, both of Washington, D.C.; and Alex Nogales, National Hispanic Media Coalition, Los Angeles, California.

### RAILROAD SAFETY AND ENHANCEMENT ACT

*Committee on Commerce, Science, and Transportation:* Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security concluded a hearing to examine a bill entitled, "Railroad Safety Enhancement Act", after receiving testimony from Joseph H. Boardman, Administrator, Federal Railroad Administration, Department of Transportation; Edward R. Hamberger, Association of American Railroads, and John P. Tolman, Brotherhood of Locomotive Engineers and Trainmen, both of Washington, D.C.; and David Solow, American Public Transportation Association, Los Angeles, California.

### WATER BILLS

*Committee on Energy and Natural Resources:* Subcommittee on Water and Power concluded a hearing to examine S. 300, to authorize appropriations for the Bureau of Reclamation to carry out the Lower Colorado River Multi-Species Conservation Program in the States of Arizona, California, and Nevada, S. 1258, to amend the Reclamation Safety of Dams Act of 1978 to authorize improvements for the security of dams and other facilities, S. 1477, to authorize the Secretary of the Interior to carry out the Jackson Gulch rehabilitation project in the State of Colorado, S. 1522, to amend the Bonneville Power Administration portions of the Fisheries Restoration and Irrigation Mitigation Act of 2000 to authorize appropriations for fiscal years 2008 through 2014, and H.R. 1025, to authorize the Secretary of the Interior to conduct a study to determine the feasibility of implementing a water supply and conservation project to improve water supply reliability, increase the capacity of water storage, and improve water management efficiency in the Republican River